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22 **UNITED STATES DISTRICT COURT**

23 **DISTRICT OF NEVADA**

24 Cung Le, Nathan Quarry, Jon Fitch, Brandon  
25 Vera, Luis Javier Vazquez, and Kyle  
26 Kingsbury on behalf of themselves and all  
27 others similarly situated,

28 Plaintiffs,  
v.

Zuffa, LLC, d/b/a Ultimate Fighting  
Championship and UFC,

Defendant.

Case No.: 2:15-cv-01045-RFB-BNW

**ZUFFA, LLC'S MOTION TO SEAL ECF  
NO. 696-4**

Pursuant to Rule 26(e) of the Federal Rules of Civil Procedure, Local Rule 10-5(b) and Section 14.3 of the Revised Stipulation and Protective Order issued by this Court on February 10, 2016 (ECF No. 217) (“Protective Order”), Zuffa, LLC (“Zuffa”) hereby moves this Court for leave to lodge Exhibit B to the Declaration of Jonathan M. Shaw In Support of Zuffa’s Reply in Support of its Motion to Seal Exhibits and Protected Materials at the Evidentiary Hearing on Class Certification (“Shaw Declaration”) (ECF No. 696-4) under seal.

The original exhibit filed at ECF No. 696-4 is a redacted public version of an expert report, the original version of which was filed under seal. The redacted version contains an error that disclosed information that has been designated as “HIGHLY CONFIDENTIAL–ATTORNEYS’ EYES ONLY” by a third party pursuant to the Protective Order.<sup>1</sup>

Along with this motion, Zuffa filed a Notice of Corrected Image/Document that attached a corrected version of Exhibit B to the Shaw Declaration which cures the deficiency in the original public version and allows the public access to all non-confidential portions of the exhibit. The justification for the sealing of this exhibit is set forth fully in Zuffa’s Motion to Seal Exhibits and Protected Materials at the Evidentiary Hearing on Class Certification (ECF No. 665).

Zuffa now asks the Court to seal the earlier version of the exhibit (ECF No. 696-4) in order to protect the confidential information and to replace that version with the attached Exhibit B.

DATED this fifteenth day of July, 2019.

<sup>1</sup> The provision to permit “Highly Confidential – Attorneys’ Eyes Only” designations for third parties was included specifically to address concerns raised by third parties regarding access to their materials produced in response to subpoenas. ECF No. 211, Dec. 8, 2015 Hearing Tr. 53:1-14; ECF No. 216, January 26, 2016 Hearing Tr. 71:4-20 (Magistrate Judge Leen stating that the parties “have agreed” to add a “Highly Confidential” designation under the Protective Order “to accommodate the concerns of nonparty witnesses” from whom the parties are requesting discovery).

1 Dated: July 15, 2019

Respectfully Submitted,

2 BOIES SCHILLER FLEXNER LLP

3 By: /s/ Jonathan M. Shaw

4 Jonathan M. Shaw

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1                   **CERTIFICATE OF SERVICE**

2                   The undersigned hereby certifies that the foregoing Defendant Zuffa, LLC's Motion to Seal  
3 ECF No. 696-4 was served on July 15, 2019 via the Court's CM/ECF electronic filing system  
4 addressed to all parties on the e-service list.

5  
6                   */s/ Roderick J. Crawford*

7                   Roderick J. Crawford, an Employee of  
8 Boies Schiller Flexner LLP

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